

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10cr249

UNITED STATES OF AMERICA)
)
v.)
)
DENNIS JUSTIN MOORE, JR. (1))
_____)


ORDER


THIS MATTER comes before the Court upon the defendant's Motion for Bond Review, pursuant to 18 U.S.C. § 3142(f). (Doc. No. 38).

The defendant seeks reconsideration of his detention because he has pled guilty to a counterfeiting charge and has been held in custody the length of the United States Sentencing Guidelines range contemplated by the plea agreement. (*Id.* at 1-2). The Court does not find that this information alters the magistrate judge's determination, by preponderance of the evidence, that no combination of conditions would reasonably assure the appearance of the defendant. (Doc. No. 5: Order). Additionally, the advisory guideline range suggested by the parties does not control the Court's determination of the sufficient, but not greater than necessary, sentence. Fed. R. Crim. P. 11(c)(1)(B). However, in order to protect the defendant against the risk of over-serving his eventual sentence, the Court will endeavor to schedule a sentencing hearing as soon as practicable.¹

IT IS, THEREFORE, ORDERED that the defendant's Motion for Bond Review (Doc. No. 38) is **DENIED**._____

Signed: May 10, 2011



Robert J. Conrad, Jr.
Chief United States District Judge 

¹ If the defendant chooses to waive his right to the 35-day period between release of the presentence report and the sentencing hearing, the Court could schedule this matter for June 6, 2011. Case 3:10-cr-00249-RJC Document 40 Filed 05/10/11 Page 1 of 1